

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE PRESIDENT *E. J. Sullivan*

FROM:

EDWIN MEESE III *gms*

SUBJECT:

Administrative Remedies for Employee Misconduct

Background

The concept of government-wide standards for dealing with employee misconduct was proposed in the final report of the President's Council on Integrity and Efficiency. Its Committee on Administrative Remedies and Incentives recommended that all Federal agencies be required by OPM to establish a table of penalties, with OPM providing guidance in the form of sample tables.

There was disagreement among the various agencies as to whether OPM's tables should be made mandatory or remain as a sample, with each agency allowed to devise its own set of penalties.

The OPM tables would define what constitutes misconduct while on the job. Examples: unexcused tardiness, use of intoxicants, discourtesy, sleeping, sexual harassment, damage to government property. The tables would also provide suggested supervisor responses that would include oral admonition, suspension, and removal. Uniform tables throughout the Federal agencies will ensure that treatment of like offenses is reasonably consistent.

The Cabinet Council on Management and Administration has reviewed the following options pertaining to administrative remedies for employee misconduct:

1. Do not issue government-wide guidance;
2. Issue a Federal Personnel Manual (FPM) letter encouraging agencies to create their own table of penalties;
3. Issue an FPM letter with a sample table of penalties;
4. Issue a mandatory government-wide table of penalties.

Recommendation:

Option three is hereby recommended by CCMA. This option offers sufficient assurance that agencies will develop penalties which are comparable government-wide, while allowing flexibility for adjustment based on each agency's needs.

Approve *gms* Approve with Modifications _____ Disapprove _____